THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION NO.1318 of 2006

Dated: 31-01-2006

Smt. S. Satyanarayanamma and three others.

..... PETITIONERS

AND

The Government of Andhra Pradesh, rep. by the Secretary, Hyderabadand two others.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE V.V.S. RAO

WRIT PETITION NO.1318 of 2006

ORDER:

The petitioners are the residents of Amalapuram town. They are in possession of the Municipal Quarter Nos.1, 8, 9 and 7, respectively. Placing reliance on the orders passed of the Government in G.O.Ms.No.56 dated 28-10-1989 (17 years ago), the petitioners approached the third respondent for allotment of the quarters on hire purchase basis, in vain. Therefore, they filed the instant writ petition seeking a writ of Mandamus directing the respondents to sell the quarters to them in accordance with the G.O.Ms.No.56 dated 28-10-1989.

Heard the learned counsel for the petitioners and the learned standing counsel for the third respondent.

The petitioners are only allotted the municipal quarters on rental basis. Therefore, they have no right that can be enforced in a writ petition to compel the

respondents to allot the quarters to them or to sell the quarters to them on hire purchase basis. Insofar the orders of the Government in G.O.Ms.No.56 dated 28-10-1989 are concerned, they were issued with regard to YGH Scheme Houses constructed on L.I.G. Housing Scheme with central assistance in municipalities. No material is placed before this Court that the quarters in possession of the petitioners fall under the said category. Further, after getting instructions, the learned standing counsel submits that the Municipal Council, Amalapuram, resolved on 27-04-2001 to allot the quarters as per the rules and proposals were submitted to the Commissioner and Director of Municipal Administration. The Commissioner instructed municipality to resubmit the proposals and the matter is still under consideration. In view of this the petitioners cannot be granted any relief much less a Mandamus directing the respondents to sell the quarters to them. The petitioners are given liberty to pursue the matter with the respondents, who shall take action in accordance with the provisions of the Andhra Pradesh Municipalities Act,1965.

The writ petition, with the above observations, is accordingly dismissed. No costs.

_____

(**V.V.S.RAO, J**)

31st January, 2006.

ghn